

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: WILLIAM F. MCNAMEE AND ELEANOR M. MCNAMEE DEBTORS	BANKRUPTCY NO. 19-10570 CHAPTER 13
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**ORDER TO SELL REAL ESTATE LOCATED AT 246
MCCOY LANE, LEESPORT, BERKS COUNTY, PENNSYLVANIA 19533
AND THE CONTIGUOUS LOT IDENTIFIED AS TAX IDENTIFICATION
NUMBER 27-4399-03-14-1673 FREE AND CLEAR OF LIENS AND
ENCUMBRANCES AND TO PERMIT DISTRIBUTION OF SALE
PROCEEDS**

AND NOW, upon consideration of the Debtor's Motion to Sell Real Estate Free and Clear of Liens and Encumbrances, and to Permit Distribution of Sale Proceeds ("Motion"), and after notice and opportunity for hearing,

IT IS HEREBY ORDERED that the Debtor has satisfied this Court that the proposed sale is to a good faith purchaser for a fair and reasonable consideration that is in the best interest of the bankruptcy estate and that the Debtor is therefore authorized to sell, free and clear of all liens and encumbrances, the real property owned by the Debtor located at 246 McCoy Lane, Leesport, Berks County, Pennsylvania 19533 and the contiguous lot identified as Tax Identification Number 27-4399-03-14-1673 to Daniel Landgrebe and Denise Landgrebe for the sum of \$340,000.00 in accordance with terms and conditions as follows:

- a. The sale price is \$340,000.00 to be paid by the buyers, Daniel Landgrebe and Denise Landgrebe.
- b. Distribution is to be as follows and this order of distribution:
 - i. All real estate taxes and other obligations owed by the Movants under the terms of the Agreement of Sale;
 - ii. The usual and customary costs of settlement paid by sellers pertaining to the transfer of real estate in Berks County, Pennsylvania, including but not limited to the realty transfer tax, if any;
 - iii. Payment of the secured mortgage claim of M&T Bank, Claim 20-1, subject to a proper, current payoff amount at time of closing;

- iv. Payment of the secured mortgage claim of the Police and Fire Federal Credit Union, Claim 2-1, in an amount of up to \$10,958.46;
- v. Payment of the secured tax claim of the Berks County Tax Claim Bureau, Claim 9-1, in an amount of up to \$536.09;
- vi. The Broker's commission of 6% of the Purchase Price which will be split 50-50 between the Sellers' Broker agent and the Buyers' Broker agent;
- vii. The amount of \$1,700.00 to be held by the title agency to pay Debtors' Counsel legal fees subject to Bankruptcy Court Approval;
- viii. Any Chapter 13 Trustees commissions due and owing;
- ix. Payment of the balance of the Chapter 13 plan;
- x. The Debtors, pursuant to exemptions claimed in the Petition or in any amendment thereof and otherwise, to be placed immediately into a tenants by the entirety account.

c. Debtor's counsel hereby certifies that there are no secured creditors with liens on this real estate which will not be satisfied by the proceeds from the sale.

IT IS FURTHER ORDERED that the Debtor provide the Chapter 13 Trustee with the HUD1 within ten (10) days of the closing.

BY THE COURT:



Patricia M. Mayer
United States Bankruptcy Judge

Dated: May 7, 2020

Copies to:

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Chapter 13 Trustee
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